

AMENDED IN ASSEMBLY APRIL 20, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 934**

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**Introduced by Assembly Member Bonilla**

February 26, 2015

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An act to amend Section 11800 of the Education Code, relating to education technology.

LEGISLATIVE COUNSEL’S DIGEST

AB 934, as amended, Bonilla. Education technology: K–12 High-Speed Network: ~~advisory board: membership.~~ *board duties.*

Existing law establishes the K–12 High-Speed Network (K–12 HSN) for the purpose of enriching pupil educational experiences and improving pupil academic performance by providing high-speed, high-bandwidth Internet connectivity to the public schools. Existing law requires the Superintendent of Public Instruction to use a competitive grant process to select a local educational agency to serve as the Lead Education Agency to administer the K–12 HSN on behalf of the Superintendent. Existing law requires the Superintendent to establish a K–12 HSN advisory board composed of various ~~members, including, among others, 3 school district superintendents.~~ *members.* Existing law requires the *K–12 HSN* advisory board to meet quarterly and to recommend policy direction and broad operational guidance to the Superintendent and the Lead Education Agency.

This bill would ~~increase the number of school district superintendents on~~ require the K–12 HSN advisory board ~~to 4.~~ *to, on or before January 1, 2017, identify strategies to address the lack of technical expertise at K–12 public schools and to engage all relevant stakeholders to identify*

*strategies to support public schools with, at a minimum, network designs, network implementation, and network maintenance.*

This bill would also make nonsubstantive changes.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 11800 of the Education Code is amended  
2 to read:

3 11800. (a) (1) The K–12 High-Speed Network (K–12 HSN)  
4 is hereby established for the purpose of enriching pupil educational  
5 experiences and improving pupil academic performance by  
6 providing high-speed, high-bandwidth Internet connectivity to the  
7 public school system, as defined by Section 6 of Article IX of the  
8 California Constitution.

9 (2) The California Education Network is hereby established,  
10 consisting of the California Research and Education Network  
11 (CalREN) and the K–12 HSN.

12 (b) The Superintendent shall measure the success of the K–12  
13 HSN and ensure that the benefits of the K–12 HSN are maximized  
14 to the extent possible. The K–12 HSN shall provide critical services  
15 and functions for public primary and secondary local educational  
16 agencies, including, but not limited to, all of the following:

17 (1) Reliable and cost-effective Internet service.

18 (2) Reliable and secure interconnectivity among public school  
19 entities offering kindergarten or any of grades 1 to 12, inclusive,  
20 in California, connection to higher education institutions of  
21 California, and connection to state and local agencies to facilitate  
22 efficient interaction, including transmission of data.

23 (3) Videoconferencing and related distance learning capabilities.

24 (4) Statewide coordination of network uses to benefit teaching  
25 and learning.

26 (c) The Superintendent shall use a competitive grant process to  
27 select a local educational agency to serve as the Lead Education  
28 Agency to administer the K–12 HSN on behalf of the  
29 Superintendent.

30 (d) The Superintendent shall establish a K–12 HSN advisory  
31 board to be composed of all of the following members:

32 (1) The Superintendent, or his or her designee.

1 (2) The county superintendent of schools of the Lead Education  
2 Agency.

3 (3) A county superintendent of schools of a county with an  
4 average daily attendance of more than 60,000 pupils, appointed  
5 by the Superintendent. The member appointed pursuant to this  
6 paragraph shall serve a renewable two-year term.

7 (4) ~~Four~~ Three school district superintendents, appointed by the  
8 Superintendent. Members appointed pursuant to this paragraph  
9 shall represent school districts that are diverse as to geography and  
10 size, and that serve socioeconomically and culturally diverse pupil  
11 populations. Members appointed pursuant to this paragraph shall  
12 serve renewable two-year terms.

13 (5) Two county superintendents of schools appointed by the  
14 majority of the votes of all of the county superintendents of schools.  
15 Members appointed pursuant to this paragraph shall serve  
16 renewable two-year terms.

17 (6) Three schoolsite representatives, at least two of whom shall  
18 be classroom teachers or instructional specialists.

19 (7) The president of the state board or his or her designee.

20 (e) The *K–12 HSN* advisory board shall meet quarterly and shall  
21 recommend policy direction and provide broad operational  
22 guidance to the Superintendent and the Lead Education Agency.  
23 The *K–12 HSN* advisory board, in consultation with the Lead  
24 Education Agency, shall develop recommendations for measuring  
25 the success of the network, improving network oversight and  
26 monitoring, strengthening accountability, and optimizing the use  
27 of the *K–12 HSN* and its ability to improve education. The *K–12*  
28 *HSN* advisory board shall report its recommendations to the  
29 Legislature, the Governor, the Department of Finance, the president  
30 of the state board or his or her designee, and the Legislative  
31 Analyst’s Office by March 1, 2007. It is the intent of the  
32 Legislature that the report identify and recommend specific annual  
33 performance measures that should be established to assess the  
34 effectiveness of the network.

35 (f) *The K–12 HSN advisory board shall, on or before January*  
36 *1, 2017, do both of the following:*

37 (1) *Identify strategies to address the lack of technical expertise*  
38 *at K–12 public schools.*

1 (2) *Engage all relevant stakeholders to identify strategies to*  
2 *support public schools with, at a minimum, network designs,*  
3 *network implementation, and network maintenance.*

4 (f)

5 (g) The duties of the Lead Education Agency shall include all  
6 of the following:

7 (1) Entering into appropriate contracts for the provision of  
8 high-speed, high-bandwidth Internet connectivity, provided that  
9 the contracts secure the necessary terms and conditions to  
10 adequately protect the interests of the state. Terms and conditions  
11 shall include, but are not limited to, all of the following:

12 (A) Development of comprehensive service level agreements.

13 (B) Protection of any ownership rights of intellectual property  
14 of the state that result due to participation of the state in the K–12  
15 HSN.

16 (C) Appropriate protection of assets of the state acquired due  
17 to its participation in the K–12 HSN.

18 (D) Assurance that appropriate fee structures are in place.

19 (E) Assurance that the interest earned on funds of the state for  
20 this purpose are used solely to the benefit of the project.

21 (2) Development of an annual budget request for the K–12 HSN  
22 for submission to the department and the Department of Finance  
23 to be included in the annual Budget Act.

24 (3) Development, in consultation with the *K–12 HSN* advisory  
25 board established pursuant to subdivision (d), of specific goals and  
26 objectives for the program with appropriate reporting of success  
27 measures developed by the Superintendent pursuant to subdivision  
28 (b).

29 (4) Ongoing fiscal oversight of the program, including  
30 mechanisms to control statewide costs and exposure. To  
31 accomplish this objective, the Lead Education Agency shall  
32 contract for an annual independent audit of the program. The  
33 independent auditor shall report the audit findings to the  
34 Superintendent, the Legislature, and the Governor by December  
35 15 of each year.

36 (5) Ongoing technical oversight of the program, including  
37 external evaluation and independent validation, where appropriate.  
38 To accomplish this objective, the Lead Education Agency shall  
39 contract for an independent evaluation to be completed and  
40 provided to the Superintendent by March 1, 2009. The

1 Superintendent shall report the results of the evaluation, including  
2 a response and recommendations to correct any adverse findings  
3 from the evaluation, to the Governor and the Legislature by April  
4 30, 2009.

5 (6) (A) Administer grant programs to promote the most  
6 cost-effective manner for the completion of connectivity for all  
7 public schools of the state and cost-effective applications that meet  
8 instructional needs to the extent that funds are provided for these  
9 purposes in the annual Budget Act.

10 (B) Before the appropriation of any state funds for the purposes  
11 of this paragraph, the Lead Education Agency shall submit  
12 information justifying the need for additional grant funds,  
13 including, but not limited to, all of the following:

14 (i) The number of schools and school districts that are already  
15 connected.

16 (ii) The means by which the costs associated with connectivity  
17 were covered for schools and school districts that are already  
18 connected.

19 (iii) Obstacles to connection for those schools and school  
20 districts that are not yet connected.

21 (iv) Other local options and funding sources for purposes of  
22 connectivity and applications.